

which would solve the complex problems and it will all just work like we think it might. I am sure those people, in 1986, heard the exact same argument we are hearing today why this kind of legislation is so critical. They tried it. But they put in a commission to study it.

The Commission was clear. The Commission said:

In retrospect, the concept of worker specific and industry specific legislation was fundamentally flawed.

That is exactly what the AgJOBS bill is, industry and worker specific. Indeed, it is the same industry and the same workers—agriculture—that the 1986 sponsors said would be fixed by their bill. It was an amnesty to end all amnesty. That is what they said. Now we are at it again in the same way.

Later, in 1997, former Congresswoman Barbara Jordan, an African-American leader of national renown, was authorized, by a 1990 immigration law, to chair a commission. The Commission reported to President Clinton on the status of existing immigration law. The Jordan Commission found that the guest worker programs do not “reduce unauthorized migration. To the contrary, research consistently shows that they tend to encourage and exacerbate illegal movements by setting up labor recruitment and family networks that persist long after the guest programs end.”

The Commission further concluded that what was needed was an immigration system that had integrity where laws were enforced, including employer sanctions. I will quote from their report. They stated:

Illegal immigration must be curtailed. This should be accomplished with more effective border controls, better internal apprehension mechanisms, and enhanced enforcement of employer sanctions. The U.S. Government should also develop a better employment eligibility and identification system, including a fraud-proof work authorization document for all persons legally authorized to work in the United States so that employer sanctions can more effectively deter the employment of unauthorized workers.

Our enforcement efforts remind me of the man who builds an 8-foot ladder to try to reach across a 10-foot chasm. While he may have been close, close doesn't count in such an event. He is heading for disaster.

We are not as far away as most people think from an effective enforcement mechanism. It is absolutely not hopeless for this country to gain control of its borders, especially with the new technology we have today—biometrics and that kind of thing. We are spending billions of dollars, but we are spending that money very unwisely. The solution to our immigration situation is to review the procedures by which people come to our country, and the procedures by which people become citizens, and to then steadfastly plan a method that will work to enforce those rules. Without that enforcement, no matter what changes we make in our current law, we will be right back here

discussing Amnesty III for agricultural farmworkers before this decade is out. This is plainly obvious to anyone who would look at our current system.

By all means, this Nation should not, in response to this current failure, pass a bill like what has been offered which basically says our current system has failed and we intend to give up and do nothing to fix it. It says we have failed, our system is not working so we are just going to quit trying and let everybody stay in. The American people are not going to be happy if they learn that is what we are about here. They surely will learn about it sooner or later.

Polls show huge majorities, upwards of 80 percent, want a lawful system of immigration. Why are we resistant to that?

It has been amazing to me, anytime a piece of legislation is offered that might actually work to tighten up the loopholes we have, it is steadfastly opposed and seems never to become law.

I feel very strongly about this. If it is not amnesty, I don't know what amnesty is.

This bill will bestow legal status and a guaranteed pass to citizenship for over a million individuals, perhaps 3 million, perhaps even more.

The Commissioners who studied the last bill all agreed the number that actually obtained amnesty was far greater than anticipated.

In addition, it makes no provision whatsoever for commensurate improvement of law enforcement.

It hurts me, as somebody who spent most of my professional life trying to enforce laws passed by Congress, to see us undermine the ability of our system to actually work.

The passage of this legislation will be the equivalent of placing a neon sign on our border that says: Yes, we have laws but we welcome you to try to sneak into our country, and if you are successful, we will reward you, as we have done twice before, with permanent residency and a step onto citizenship.

Under this legislation, if a person has worked within 18 months, 575 hours or 100 workdays—and a workday is defined in the act as working 1 hour—then for 100 hours within 18 months, they are eligible to apply for a temporary resident status even though they are here plainly and utterly illegally. They do not have to go home and make another application; they simply apply for this. In addition, they become a temporary resident.

It then provides they can ask for permanent resident status and that the Secretary of Homeland Security shall grant them this permanent resident status if they work 2,000 hours in a 6-year period. That is about 1 year of work period. Then they apply for a permanent resident status. In 5 years, if they have not been convicted of a felony or have not been convicted of three misdemeanors, the Secretary shall confer citizenship on them if they apply.

If they become a permanent resident citizen, they can call for their family, who may be out of the country. A family who never had any thought to come to this country is allowed to come in free. All of them are put on a guaranteed track for citizenship.

Indeed, if they have already left the country not intending to return, but did work 575 hours in 18 months before that period, or if they are willing to say they did—true or not—they get to come back in and bring their families with them. Maybe a person here never intended to bring their family, but faced with this offer, they bring them in.

I am not sure we know how broad this bill is, how dangerous this language is.

I have a host of specific complaints about the provisions within the statute. I will talk about them later today or tomorrow.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I concur in about everything my friend from Alabama has said. Initially, he made a comment relative to debating immigration law on a Defense supplemental bill where we are trying to provide funds for our men and women who are serving so bravely overseas today. I concur in that.

I had hoped we would have an expansive debate on this very sensitive and complicated issue. I know my friend, the Senator from Idaho, feels exactly as I do on this, but unfortunately we have been dictated to by the rules of the Senate relative to this issue. That is why we have both of these amendments up for discussion today.

The Senator from Alabama is exactly right. He is also right on one other thing. There are two amendments we are debating, AgJOBS, filed by the Senator from Idaho and Senator KENNEDY from Massachusetts, and the Chambliss-Kyl amendment. Both of these amendments recognize, as the Senator from Alabama said, we have a problem. We have a problem in the agriculture community relative to providing our farmers all across America a stable, secure, and lawful pool from which to choose for their labor needs.

We can argue over how many hundreds of thousands or how many millions of individuals are illegally in this country today working on our farms. The Senator from Idaho said the Department of Labor says there will only be a few hundred thousand who will try to take advantage of this. I don't think that is right. I don't have a lot of faith in the numbers coming out of some of the studies that have been done.

For example, there was a study by GAO a couple of years ago which said there were some 600,000 farmworkers in the United States today who are here illegally. In my State, there are hundreds of thousands of illegal aliens who are working in agriculture as well as working in other industries today.